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Oceans and the law of the sea

Proposed programme budget for the biennium 2016-2017

Revised estimates resulting from the decisions contained in General Assembly resolution 69/292, entitled "Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction"

Report of the Secretary-General

Summary

The present report details additional budgetary requirements resulting from the adoption by the General Assembly of resolution 69/292, on the basis of draft resolution A/69/L.65. In accordance with rule 153 of the rules of procedure of the Assembly, the Secretary-General submitted a statement on the programme budget implications of draft resolution A/69/L.65 (A/69/922), in which he informed the Assembly that the implementation of the requests contained in the draft resolution would give rise to additional resource requirements in the proposed programme budget for the biennium 2016-2017. Before the adoption of the draft resolution, the President of the Assembly drew the attention of the Assembly to the statement of programme budget implications and noted that the Fifth Committee would examine the revised estimates resulting from the draft resolution during the main part of the seventieth session of the Assembly. Consequently, the financial provisions, as appropriate, would be considered as an additional budget appropriation to be approved by the Assembly for the biennium 2016-2017 (see A/69/PV.96).

The Secretariat estimates that the implementation of paragraphs 1 (a), (b) and (c) of resolution 69/292 would entail additional requirements of $670,000 under section 2, General Assembly and Economic and Social Council Affairs and conference management, of the proposed programme budget for the biennium 2016-2017.

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I. Introduction

1. At its 96th plenary meeting, on 19 June 2015, the General Assembly adopted resolution 69/292, entitled "Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction", on the basis of draft resolution A/69/L.65. In accordance with rule 153 of the rules of procedure of the Assembly, the Secretary-General submitted a statement on the programme budget implications of draft resolution A/69/L.65 (A/69/922), in which he informed the Assembly that the implementation of the requests contained in the draft resolution would give rise to additional resource requirements in the proposed programme budget for the biennium 2016-2017.

2. Before the adoption of the resolution, the President of the Assembly drew the attention of the Assembly to the statement of programme budget implications and noted that the Fifth Committee would examine the revised estimates resulting from the draft resolution during the main part of the seventieth session of the Assembly. Consequently, the financial provisions, as appropriate, would be considered as an additional budget appropriation to be approved by the Assembly for the biennium 2016-2017 (see A/69/PV.96).

II. Requests contained in the resolution

3. Under the terms of paragraphs 1 (a), (b) and (c) of resolution 69/292, the General Assembly:

(a) Decided to establish, prior to holding an intergovernmental conference, a preparatory committee, open to all States Members of the United Nations, members of the specialized agencies and parties to the Convention, with others invited as observers in accordance with past practice of the United Nations, to make substantive recommendations to the General Assembly on the elements of a draft text of an international legally binding instrument under the Convention, taking into account the various reports of the Co-Chairs on the work of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, and that the preparatory committee would start its work in 2016 and, by the end of 2017, report to the Assembly on its progress;

(b) Decided that the preparatory committee would meet for no less than two sessions of a duration of 10 working days each in 2016 as well as in 2017 with full conference services, with the recognition that, with respect to documentation, any documents of the preparatory committee other than the agenda, the programme of work and the report of the preparatory committee would be considered informal working documents;

(c) Requested the Secretary-General to convene the sessions of the preparatory committee in 2016 from 28 March to 8 April and from 29 August to 12 September.

III. Relationship of the requests to the biennial programme plan and priorities for the period 2016-2017 and to the proposed programme budget for the biennium 2016-2017

4. The activities requested in the resolution relate to programme 1 of the biennial programme plan and priorities for the period 2016-2017 and section 2, General Assembly and Economic and Social Council affairs and conference management, of the proposed programme budget for the biennium 2016-2017.

IV. Activities by which the requests would be implemented

5. It is envisaged that the Preparatory Committee would hold two sessions of 20 meetings each in New York, totalling 40 meetings, in each of the years 2016 and 2017, with interpretation in all six languages, consisting of one meeting in the morning and one in the afternoon. In 2016, the dates would be for 10 days from 28 March to 8 April 2016, and for 10 days from 29 August to 12 September 2016. Dates for 2017 will be determined in consultation with the Department for General Assembly and Conference Management.

6. It has been confirmed that the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction will not be re-mandated starting from 2016. The new Preparatory Committee is closely related to the Ad Hoc Open-ended Informal Working Group, and therefore the entitlement to 10 meetings per year of the Ad Hoc Open-ended Informal Working Group would be used to cover 10 meetings per year of the Preparatory Committee.

7. Accordingly, 30 meetings with interpretation in all six languages will constitute an addition to the meetings workload for the Department for General Assembly and Conference Management in each of the years 2016 and 2017. That would entail additional requirements in the amount of $670,000 for meeting services in the biennium 2016-2017.

V. Financial implications of the proposals

8. Additional conference-servicing requirements of $670,000 for the biennium 2016-2017 under section 2, General Assembly and Economic and Social Council affairs and conference management, would be required under the proposed programme budget for the biennium 2016-2017 to implement the additional workload.

VI. Potential for absorption during the biennium 2016-2017

9. No provisions have been made in the proposed programme budget for the biennium 2016-2017 for the implementation of the activities requested under operative paragraphs 1 (a), (b) and (c) of the resolution. At the current stage, it is not possible to identify activities within the section of the proposed programme budget for the biennium 2016-2017 that could be terminated, deferred, curtailed or modified during the biennium. It is therefore necessary that the additional non-recurrent

resources in the amount of $670,000 be provided through an additional appropriation for the biennium 2016-2017.

VII. Contingency fund

10. It may be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

VIII. Action required of the General Assembly

11. **Accordingly, the General Assembly is requested to approve an additional appropriation, representing a charge against the contingency fund, in the amount of $670,000 under section 2, General Assembly and Economic and Social Council affairs and conference management, of the proposed programme budget for the biennium 2016-2017.**